

EXHIBIT 4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

MDL No. 1358

This Document Relates To:

**PLAINTIFF'S FIRST SET OF
INTERROGATORIES TO
DEFENDANT
RE PRODUCT IDENTIFICATION**

City of Fresno, et al.,

Plaintiffs,

v.

Chevron U.S.A. Inc.

Defendants

x

POUNDING PARTY: **PLAINTIFF CITY OF FRESNO**

RESPONDING PARTY: **SHELL OIL COMPANY**

SET: **ONE**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and in accordance with the directive of the Court at the May 11, 2004 status conference, Plaintiffs hereby submits the following First Set of Interrogatories, to be answered separately, in writing, and under oath, by each responding defendant listed on Exhibit A (attached hereto) on or before July 9, 2004. As directed by the Court at the May 11, 2004 status conference, each responding defendant's answers to these Interrogatories should include a description of the specific steps undertaken by the defendant to obtain the information contained in such answers. This First Set of Interrogatories is served without prejudice to Plaintiff's right to seek additional discovery.

DEFINITIONS

A. All definitions contained in Local Rule 26.3 of the United States District Court for the Southern District of New York are incorporated herein by reference.

B. MTBE means methyl tertiary butyl ether.

C. MTBE Product means any petroleum product containing MTBE. With respect to gasoline containing MTBE, MTBE Product includes any and all of the following: conventional gasoline containing MTBE, winter oxygenate fuel containing MTBE, and/or reformulated gasoline containing MTBE; provided, however, that if any responding defendant claims that it is unable to determine whether any conventional gasoline contained MTBE for purposes of answering these Interrogatories, MTBE Product shall include any and all conventional gasoline.

D. Refinery means a facility used to process crude oil, unfinished oils, natural gas liquids, or other hydrocarbons into any petroleum product.

E. Terminal means a petroleum product storage and distribution facility that is supplied by pipeline, vessel or other means, and from which such petroleum products may be removed at a rack and/or distributed by pipeline, and includes bulk storage and distribution facilities located at Refineries.

F. Terminalling Partner means an entity that leased petroleum product storage or otherwise had the right to store petroleum products in the product storage tanks at a Terminal not owned, operated, or controlled by that entity.

G. You means the responding defendant, its subsidiaries and affiliates.

H. Your means of or pertaining to the responding defendant, its subsidiaries and affiliates.

INTERROGATORIES

1. Please identify the name and address of each entity (including You, if applicable) that supplied You with MTBE Products for ultimate delivery into Kern County at any time since the date of first MTBE use in Kern County, the dates or date ranges when each such entity supplied You with MTBE Products, and the name and address of each Refinery from which such MTBE Products were supplied.

2. Please identify the name and address of each entity from which You obtained neat MTBE for use at any Refinery owned or operated by You that supplied gasoline for ultimate delivery into Kern County, the dates or date ranges when MTBE was acquired from each such supplier, and the name and address of Your Refinery(ies).

3. Please identify each Terminal You use or used to supply gasoline for ultimate delivery into Kern County at any time since the date of first MTBE use in Kern County and the dates or date ranges when You have used such Terminal. For each Terminal You use or used, please also state whether You owned or operated such Terminal or were a Terminalling Partner at such Terminal.

Dated: Sacramento, California
August 4, 2004

MILLER, AXLINE & SAWYER

By:

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PROOF OF SERVICE VIA E-MAIL AND US MAIL

2 I, Christina Hise, hereby declare under penalty of perjury of the law that a true copy of the
3 following:

4 PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT RE
5 PRODUCTION IDENTIFICATION

6 [SHELL OIL COMPANY]

7 as served via e-mail, pursuant to Judge Shira A. Scheindlin's Case Management Order dated
8 April 1, 2004 [Section IV], upon:

9 Peter Sacripanti, Esq. Defense Liaison Counsel.
10 cDermott Will & Emery LLP
sacripanti@mwe.com

11 Alan Alpert, Esq. Plaintiffs' Liaison Counsel.
al.ertawetzlux.com

12 On the 4th day of August, 2004, and on the following persons or parties by placing a true copy
13 hereof in a sealed envelope, showing the addresses set forth below, for collection and deposit in
14 the United States Postal Service on that date following ordinary business practices:

15 See Attached List

16 I declare under penalty of perjury under the laws of the State of California and the United
17 States of America that the foregoing is true and correct.

18 Executed on August 4, 2004, at Sacramento, California.

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